

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re: TESTOSTERONE
REPLACEMENT THERAPY
PRODUCTS LIABILITY LITIGATION

Master Dkt. Case No. 1:14-cv-01748
MDL No. 2545

This document relates to all cases

Honorable Matthew F. Kennelly

CASE MANAGEMENT ORDER NO. 143
(Application of CMO 126 to Future Cases Against AbbVie Defendants)

This Case Management Order (“CMO”) applies to all Plaintiffs alleging personal injury (and related) claim(s) against AbbVie Inc., AbbVie Products LLC, Solvay Pharmaceuticals Inc., Unimed Pharmaceuticals LLC, Abbott Laboratories, Abbott Products LLC, Abbott Products Inc., and/or any of the forgoing entities’ parents, predecessors, successors, subsidiaries, affiliates, divisions, business units, joint ventures, partners, manufacturers, suppliers, distributors, licensors, and/or contractors (collectively the “AbbVie Defendants” herein) who have cases pending against the AbbVie Defendants as of the date this CMO is entered and do not to settle under the voluntary settlement program, and all Plaintiffs with cases alleging personal injury (and related) claim(s) against the AbbVie Defendants that are newly filed in, removed to, or transferred to this MDL after the entry of this CMO (collectively the “Litigating Plaintiffs” herein).

The Court is aware that, without admission of fault or liability, that AbbVie Inc. has entered into a Master Settlement Agreement to resolve cases alleging personal injury (and related) claims against it related to AndroGel. Because AbbVie Inc. and Plaintiffs’ Counsel entered a Confidential Term Sheet regarding a global settlement, the Court entered CMO 134 on September 10, 2018, staying proceedings involving the AbbVie Defendants [Dkt. No. 2866].

For all the reasons discussed in CMO 126, which are adopted herein by reference, and in light of the Master Settlement Agreement that AbbVie Inc. and Plaintiffs' Counsel entered after over four years of litigation, the Court finds it appropriate at this time to order the application of CMO 126 to all Litigating Plaintiffs and AbbVie Defendants.

This Order requires Litigating Plaintiffs to adhere to all requirements, procedures, and deadlines set out in CMO 126, including, but not limited to, all requirements to (1) produce certain specified information and documents regarding their claim(s), (2) provide expedited bifurcated discovery on statute of limitations, other time-based defenses, and causation issues, and (3) engage in related dispositive motion practice prior to any further discovery. Litigating Plaintiffs who represent themselves *pro se* shall be bound by the requirements of CMO 126 and shall fully comply with all obligations required of counsel by CMO 126, unless otherwise stated in CMO 126.

IT IS SO ORDERED:

Date: November 28, 2018



MATTHEW F. KENNELLY
UNITED STATES DISTRICT JUDGE